

# Notice of Allowability

Application No.

09/295,864

Examiner

Donald L. Champagne

Applicant(s)

FELDSTEIN ET AL.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 29 January 2007 authorization for an examiner's amendment.

2. ☒ The allowed claim(s) is/are 1-11 and 25-32.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

Donald L. Champagne  
Primary Examiner  
Art Unit: 3622

DONALD L. CHAMPAGNE

PRIMARY EXAMINER

Notice of Allowability

## **DETAILED ACTION**

### ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Craig S. Fischer, Esq., on 29 January 2007.
3. The application has been amended as follows. Cancel claims 12-24.

### ***Allowable Subject Matter***

4. Claims 1-11 and 25-32 are allowed.
5. The following is an examiner's statement of reasons for allowance: the closest prior art, Bull et al. In view of Gifford and Moss et al., does not teach or suggest that preventing the user from encountering sub-item or dependency conflicts (i.e., preventing the user from choosing incompatible "sub-items" or options) further comprises not offering sub-items/options unrelated to (i.e., not relevant to) requested data and automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user. This applies to all the independent claims 1, 25 and 32.
6. The application illustrates the invention with a website providing personalized car-related information, such as maintenance requirements and maintenance cost estimates, based on car data input by the user. The limitation "not offering sub-items/options unrelated to (i.e., not relevant to) requested data" is illustrated by offering only possible "Year" and "Model Line" options in drop-down menus when the user chooses some certain auto make (e.g., Acura) in the Fig. 8 web page. The limitation "automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user" is illustrated by a user erroneously entering car mileage data with alpha characters. The system would automatically replace this input with numbers.

7. Together Bjornson et al. and Alexander et al. teach the patentable limitation. Bjornson et al. teaches not offering sub-items/options unrelated to requested data, but does not teach automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user. Conversely, Alexander et al. teaches automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user, but does not teach not offering sub-items unrelated to requested data. The prior art does not teach or suggest adding the teachings of Bjornson et al. and Alexander et al. to those of Bull et al., Gifford and Moss et al.<sup>1</sup>
8. Henson teaches the use of drop-down menus to offer sub-items/options, but these menus include incompatible options (Fig. 4 item 86). And, instead of automatically correcting conflicting sub-items/options, Henson issues a warning (Fig. 4 item 86).
9. Also noteworthy is Fein et al., which teaches the auto-correction feature now common in text processing. Fein et al. is similar to Alexander et al. by teaching automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user, but does not teach not offering sub-items unrelated to requested data.<sup>2</sup>
10. The closest foreign patent prior art is WO 98/53609 and the closest non-patent prior art is Trenchard (*Administrative Management*, December 1978). Neither teaches nor suggests not offering sub-items/options unrelated to (i.e., not relevant to) requested data and automatically selecting other sub-items/options as a particular conflicting sub-item/option is requested by the user.
11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The

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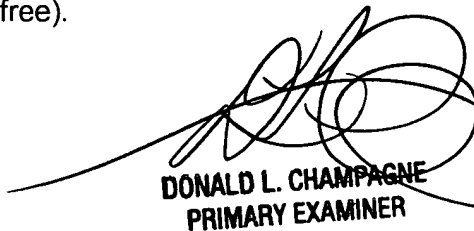
<sup>1</sup> In part because the latter two are not analogous art. Bjornson et al. teaches a computerized process for selecting a mechanical seal and Alexander et al. teaches a TV electronic program guide.

<sup>2</sup> Also, Fein et al. is not prior art under 35 USC 103(c).

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examiner can normally be reached from 9:30 AM to 8 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at [donald.champagne@uspto.gov](mailto:donald.champagne@uspto.gov), and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.

13. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for all *formal* fax communications is 571-273-8300.
14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
DONALD L. CHAMPAGNE  
PRIMARY EXAMINER

Donald L. Champagne  
Primary Examiner  
Art Unit 3622

29 January 2007